

**TOWNSHIP OF O'HARA
COUNCIL WORKSHOP MINUTES
MAY 2, 2023**

I. OPENING PROCEDURES

- A. Call to Order by President Smith at 7:04 p.m.
- B. Pledge of Allegiance led by President Smith.
- C. Roll Call

Council Members Present: Robert John Smith, President of Council; Cassandra R. Eccles, Vice-President of Council; Richard S. Hughes, First Ward; Michael F. Hammill, Third Ward; Olivia T. Payne, Fourth Ward

Absent: George H. Stewart*, Second Ward; John R. Denny, Jr., At-Large

Also Present: Julie A. Jakubec, CPA, CGMA, Township Manager; Philip Weis, Township Solicitor; Charles W. Steinert, Jr., P.E., Township Engineer; Christopher Komora, Special Projects Coordinator/Code Enforcement Officer; Todd Giammatteo, Public Service Superintendent; Jay Davis, Police Superintendent; Cathy Bubas, Manager's Secretary

(*) Mr. Stewart observed the meeting via zoom.com and did not participate.

II. CITIZEN COMMENTS CONCERNING NON-AGENDA ITEMS

Ms. Cindy Harris, 53 Fox Pointe, recommended that Council suspend a portion of the Zoning Ordinance pertaining to recreational vehicles ("RVs") after she received an enforcement notice for parking her trailer in her driveway because she intends to use her trailer prior to the end of May. Ms. Harris explained her property does not allow for parking the trailer behind her house. She stated the ordinance is only enforced when a complaint is received. The Manager explained the ordinance allows RVs to be parked on a residential property from the Sunday before Memorial Day and until the Saturday after Labor Day with a permit, or in the rear yard any time of the year. Manager Jakubec stated she received a complaint from one of Ms. Harris's neighbors since the camper has been in her driveway the past two or three weeks already.

Vice President Eccles stated Ms. Harris should have had a permit before bringing the trailer to her home and did not favor suspending the ordinance.

Concerns of people living in trailers, sight distance and dilapidated trailers were noted. Mr. Hammill questioned how the ordinance compares to other local communities. The Manager recalled staff looked at other ordinances.

Ms. Payne suggested extending the time to allow RVs in residential areas by one month.

Mr. Hughes stated he was not inclined to overrule the ordinance without doing some research, but believed there could be a variety of solutions. He suggested obtaining perspectives from people who own campers and people who do not own campers.

Ms. Harris stated the culture in O'Hara Township is not entirely healthy in terms of the relationship between the citizens and Township operations.

President Smith stated Council is elected to represent the people the way Council feels the people should be represented.

Ms. Payne noted Ms. Harris was now accusing Council of not having a good relationship with the people. Government is for the people, by the people, which means there's going to be a whole lot of people with different views. Ms. Harris suggested staff call or go talk to the person instead of just mailing an enforcement letter. Manager Jakubec stated enforcement of the ordinance has always been complaint driven. She explained the lengthy process to change the ordinance.

President Smith confirmed that Ms. Harris was aware that she violated the ordinance. He requested Solicitor Weis's opinion on suspending the ordinance.

Solicitor Weis recalled the ordinance was thoroughly reviewed and updated within the last five years. Council could suspend the ordinance if Council thinks the ordinance is wrong or illegal, but not for something like this, a resident does not like it.

President Smith acknowledged Ms. Harris has a unique circumstance but she could appeal to the Zoning Hearing Board for relief.

Emily Glick, Yorkshire Drive, commented that four months of the year does not seem like much. She saw no problem with extending the requirement by one month on either side or rolling it back entirely and focusing more on if it is sitting stagnantly and not moving. She agreed with Ms. Harris about the culture and compared it to the skeet shooting that occurs seven months out of the year on weekends, which she was unaware of when purchasing her property. It is a culture of 'it's been this way forever'.

President Smith requested Ms. Glick to wait until the prior conversation is completed and he would get back to her.

President Smith asked if Council was agreeable to reviewing the zoning ordinance pertaining to recreational vehicles. Ms. Payne was not opposed to reviewing the ordinance and suggested Ms. Harris, in the meantime, apply for a permit.

Mr. Hughes clarified Ms. Harris went from a situation where she wasn't allowed to park the camper in the driveway at all, to a situation where she can have it in the driveway for a period of time, and that's not an improvement. Ms. Harris stated if she is getting enforcement notices, no. Mr. Hughes explained she is getting enforcement notices because she is out of code.

Ms. Harris recalled in the past she would park the camper in her driveway whenever. She stated it doesn't seem reasonable that someone else should dictate that she has to drive 45 minutes to take her camper back to its space every time. It was noted that Ms. Harris had not researched closer storage places but would research it again.

Ms. Payne thanked Ms. Harris for expressing her suggestions. However, Council also has constituency of a couple thousand people and must weigh their views as well.

Ms. Harris stated if Council decides to hold a hearing of some sort or put it on the agenda for a future workshop, she will make sure that the people who own campers are here to talk about it. She is bothered by the sneakiness she has to go through just to get the job done and by an occasional enforcement letter.

Vice President Eccles asked Ms. Harris to explain the sneakiness. Ms. Harris stated the sneakiness is that she brings the camper into the driveway knowing it violates the ordinance.

President Smith stated there is an obligation for RV owners to know what the regulations and ordinances are before they park it in their driveway. It was noted the regulations have changed a lot, but not enough in Ms. Harris' opinion. She compared the RV conversation with Council to another conversation about solar panels and the neighbors might not like it.

Manager Jakubec stated the alternative energy ordinances are updated as technology changes.

President Smith suggested Ms. Harris work with staff. Council was not ready to suspend the ordinance.

President Smith requested Ms. Glick continue with her comments.

Ms. Glick stated she would raise her concerns with Senator Lindsey Williams and State Representative Mandy Steele. She noted Yorkshire Drive is on the list for milling and repaving this year and suggested using the paving money toward a noise barrier to help alleviate their real concern. President Smith indicated a noise barrier could be investigated.

Ms. Glick also noted the clubs' activities of fertilizing, use of pesticides, and with the skeets, since 2002, what is now Sycamore Run, has been on Pennsylvania Department of Environmental Protection Agency's ("DEP") list of impaired streams.

Manager Jakubec clarified the section of Sycamore Run is not in O'Hara Township; it is in Fox Chapel Borough by the golf courses. She referenced the letter sent to Ms. Glick which recommended pursuing DEP and the U.S. congress person. The Manager reported that her secretary finished reviewing minutes and ordinances from 1922 through 1928 and there is no sound ordinance on the books for the Township of O'Hara during that time.

Ms. Glick indicated DEP is aware of the stream, but added it is a little bit up to the local community to find a solution. She intended to approach DEP about any progress to improve the water quality.

III. REVIEW AND DISCUSSION

- A. Requesting Authorization to File a Grant Application with Pennsylvania Department of Community and Economic Development Greenways Trails and Recreation Program for the Meadow Park Tennis Courts Project

Manager Jakubec stated Lennon Smith Souleret Engineers are preparing the subject grant application. The Township's commitment is 15% of the total project cost.

The consensus of Council was to include the resolution for consideration on the May 9th regular meeting agenda.

- B. Recommending Awarding a Contract for the 2023 Road Improvement Program

The Manager referenced a memo from Township Engineer Chuck Steinert recommending awarding a contract for the 2023 Road Improvement Program to Shields Asphalt Paving in the total amount of \$1,218,517.75, which includes alternates and reimbursement from Peoples Gas for their portion of Ravine Street. Roads scheduled for milling and resurfacing for the base bid include Alpha, Camberwell, Orchard and W. Marshall Drives, Ravine Street and White Gate Road. Alternates include Eton and Yorkshire Drives, Maurers Lane, the driveway around Meadow Park and Joanne Street (North).

The consensus of Council was to include the resolution on the May 9th regular meeting agenda for consideration.

- C. Proposed Zoning Ordinance Amendment to Allow Backyard Chickens in Residential Zoning Districts

Manager Jakubec referenced the response received from Allegheny County Economic Development following their review of the proposed zoning ordinance amendment. Upon review of the County's comments, staff did not deem the comments relevant.

President Smith noted the ordinance does not address the fee. Solicitor Weis explained the ordinance should say the fee will be in the resolution. Manager Jakubec indicated in June the fee resolution would be amended to include the chicken fee.

President Smith noted the application would include identifying the location. The Manager confirmed, noting the application would be reviewed with the ordinance to ensure all points are met.

The consensus of Council was to include the ordinance for first reading on the May 9th regular meeting agenda for consideration.

- D. Saxonburg Boulevard Sanitary Sewer Connection Fee

Manager Jakubec recalled events that occurred in 2014 regarding owners that executed easement agreements for the Saxonburg Boulevard Sanitary Sewer Project. The 2014 Council agreed to waive the tap-in fee, which was \$3,300 at that time. Since then, the tap-in fee has increased to

\$5,500. Staff are seeking directions as to whether the \$3,300 fee should be waived and property owners pay the difference, or if the current \$5,500 fee should be waived.

Ms. Payne questioned the cause of the fee increase. The Manager recalled Lennon Smith Souleret Engineers did a sewer fee study, which justified the fee increase. Typically, the fee is for new construction. For the Saxonburg project, there was a conveyance fee and a special purpose fee which was the assessment for the construction cost. The Township agreed to waive the conveyance tap fee and the motion specifically said \$3,300. She noted staff contacted Allegheny County about properties that have not connected to the sanitary sewer and the County recommended the Township cite the individuals with the Magisterial District Judge. Those residents are now responding to the citations. Two property owners signed easement agreements and staff need to tell the two property owners how much they owe to connect to the sewer.

Solicitor Weis explained it is not necessarily a legal requirement; the convention is when you say you will waive the tap-in fee of this amount, you are really waiving the tap-in fee; not a dollar amount.

Manager Jakubec requested a motion from Council as to the directive.

Vice President Eccles questioned if this would set a presence. The Manager indicated only if they signed easement agreements. Residents that did not sign easement agreements will pay the \$5,500 tap fee.

Vice President Eccles questioned why people waited this long to connect to the sewer. Manager Jakubec indicated some blamed COVID but did not know why others did not connect.

Motion by Ms. Payne to waive the conveyance tap fee was seconded by Mr. Hammill and carried unanimously.

E. Requesting Authorization to Destroy Specific Records

The Manager explained staff realized additional documents that are eligible for destruction in accordance with the Pennsylvania Historical and Museum Commission Municipal Records Retention Manual.

The consensus of Council was to include a resolution for consideration on the May 9th regular meeting agenda.

F. Veteran's Fish Rodeo – May 10, 2023

Manager Jakubec announced once again, the Morningside VFW will be sponsoring the Eleventh Annual Fish Rodeo at O'Hara Township Community Park on May 10th beginning at 11:00 a.m. She encouraged people to attend the event. The Morningside VFW stocks the pond with trout and if they are caught, they cook them. The Township waives fees for the park use.

G. Solicitor's April 13, 2023 Invoice

No comments.

H. Proposed May 9, 2023 Regular Meeting Agenda

The Manager noted two items would be added to the proposed agenda; an easement for Keystone Street Project, and a person has requested an easement from the Township because part of the driveway extends on to Township Property. The people are trying to sell the property.

IV. CONCERNS OF COUNCIL

Mr. Hammill inquired about bulk item collections. The secretary stated one bulk item would be collected this week. Manager Jakubec noted the collection calendar is available on the Township website.

Vice President Eccles asked if the trees that were cut down would be picked up. Mr. Giammatteo recalled conversations with Duquesne Light Company, as they contracted with Wright Tree Service to clear trees near the power lines. He received five complaints on Friday. Wright Tree Service is to go back and cut the trees into manageable sizes or remove the logs.

Vice President Eccles recalled receiving requests for a dog park and suggested the Township property at the bottom of Powers Run Road. Manager Jakubec explained dog parks are inherently very difficult. The Township's insurance carrier has specific requirements such as a minimum of one acre, double fence, shade, separate parks for big and little dogs, access to water, and the property cannot flood. She was trying to find a place for a dog park. She visited the dog park at Hartwood Acres, which is not ADA accessible.

Mr. Hughes stated The Docks has four dog runs. The Docks also has undeveloped land, which could be developed at some point.

President Smith acknowledged a letter received from Karl Kline, a member of the Township's Zoning Hearing Board, indicating his resignation.

President Smith also noted a letter received from Frank Harkiewicz.

Manager Jakubec recalled the first issue in the letter refers to trailers along Keystone Street in disarray. The property owner appealed to Common Pleas Court. Staff and the Solicitor will need to appear in court. The Township does not know who did the fill work. Mr. Steinert, Jr., P.E. stated the resident owns two parcels.

President Smith inquired about the storm basins at the bottom of Ravine Street. Manager Jakubec stated the basins are going away. Mr. Steinert, Jr., P.E. stated the storm basins are part of the storm water removal project.

President Smith requested staff to respond to Mr. Harkiewicz's letter.

V. CONCERNS OF STAFF

Manager Jakubec announced that the Township has again received the General Finance Officer Association ("GFOA") Excellence in Financial Reporting award.

VI. ADJOURNMENT

The meeting adjourned at 8:10 p.m.


Cathy Bubas, Manager's Secretary

Attachment: Attendance Sheet(s)

SIGN-IN SHEET

DATE: 5-2-2023

TOWNSHIP OF O'HARA

Council Workshop
Meeting

Region 7Cen

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131 Valley View Dr. 18215

Address or Organization

Only H.W. 7

Name

Address or Organization

Address or Organization

George Stewart

Name _____

Zoom

Address or Organization

Greg Caprara

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Emily Glick

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